

RIKER DANZIG SCHERER HYLAND & PERRETTI LLP  
Headquarters Plaza  
One Speedwell Avenue  
Morristown, NJ 07962-1981  
(973) 538-0800  
Attorneys for Defendants Chicago Title  
Insurance Company  
Federal Bar No.: MO-7088

DARE INVESTMENTS, LLC, a Utah limited  
liability company,

Plaintiff,

vs.

CHICAGO TITLE INSURANCE COMPANY, a  
Missouri domiciled insurer; HORIZON TITLE  
AGENCY, Inc., a New Jersey domiciled company;  
CHICAGO TITLE RICO ENTERPRISE, a  
racketeering enterprise,

Defendants.

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

Case Action No.2:10-CV-06088(DRD)(MAS)

**CERTIFICATION of MICHAEL R.  
O'DONNELL, ESQ. IN SUPPORT OF  
CHICAGO TITLE INSURANCE  
COMPANY'S MOTION FOR  
REVOCATION OF PRO HAC VICE  
ADMISSIONS AND DISQUALIFICATION  
OF COUNSEL**

**MOTION RETURN DATE:  
JANUARY 17, 2012**

I, MICHAEL R. O'DONNELL, hereby certify as follows:

1. I am an attorney-at-law admitted to practice in the United States District Court for the District of New Jersey and am a partner of the law firm of Riker, Danzig, Scherer, Hyland & Perretti LLP, attorneys for Chicago Title Insurance Company ("Chicago Title") in the above-referenced matter. As such, I am fully familiar with the facts stated herein based upon personal knowledge. I make this certification in support of Chicago Title's Reply Brief in support of its Motion for Revocation of Pro Hac Vice Admissions and Disqualification of Counsel.

2. During conversations with Peter Strojnik ("Strojnik Sr."), he asked myself and other attorneys from my firm who for me to refrain from deposing witnesses in this

litigation during the month of December 2011 because he was asked by his wife to take a vacation during that month. At no time did he ever inform me that his wife had a medical condition or that she would be going for treatment during December.

3. Attached hereto as exhibits are true and complete copies of the following:

- a. Exhibit 1: December 12, 2008 Order issued by the Superior Court, Pinal County, State of Arizona disqualifying Strojnik Sr. from representing the plaintiff in the matter styled, The Funding Group v. Ronald Deen, No. CV200701884, as provided to this firm from the records obtained and maintained by the Arizona State Bar in connection with its disciplinary investigation of Strojnik Sr. (Arizona Disciplinary Matter 09-0314 / 09-1451).
- b. Exhibit 2: Reply brief, stamped January 26, 2009, submitted to the Court of Appeals for the State of Arizona, Division 2, by Peter K. Strojnik (Strojnik Jr.) in the matter styled The Funding Group v. Ronald Deen, No. CV200701884, as provided to this firm from the records obtained and maintained by the Arizona State Bar in connection with its disciplinary investigation of Strojnik Sr. (Arizona Disciplinary Matter 09-0314 / 09-1451).
- c. Exhibit 3: March 10, 2009 letter from the Arizona State Bar to Strojnik Sr. with regard to matter 09-0314, as provided to this firm from the records obtained and maintained by the Arizona State Bar in connection with its disciplinary investigation of Strojnik Sr. (Arizona Disciplinary Matter 09-0314 / 09-1451).

- d. Exhibit 4: March 12, 2009 letter from Strojnik Sr. to Senior Bar Counsel for the Arizona State Bar, as provided to this firm from the records obtained and maintained by the Arizona State Bar in connection with its disciplinary investigation of Strojnik Sr. (Arizona Disciplinary Matter 09-0314 / 09-1451).
- e. Exhibit 5: June 12, 2009 letter from the State Bar of Arizona to Strojnik Sr. , as provided to this firm from the records obtained and maintained by the Arizona State Bar in connection with its disciplinary investigation of Strojnik Sr. (Arizona Disciplinary Matter 09-0314 / 09-1451).
- f. Exhibit 6: June 23, 2009 letter from Strojnik Sr. to the State Bar of Arizona without enclosures, as provided to this firm from the records obtained and maintained by the Arizona State Bar in connection with its disciplinary investigation of Strojnik Sr. (Arizona Disciplinary Matter 09-0314 / 09-1451).
- g. Exhibit 7: June 30, 2009 letter from the State Bar of Arizona to Strojnik Sr., as provided to this firm from the records obtained and maintained by the Arizona State Bar in connection with its disciplinary investigation of Strojnik Sr. (Arizona Disciplinary Matter 09-0314 / 09-1451).
- h. Exhibit 8: July 6, 2009 letter from Strojnik Sr. to the Arizona State Bar without enclosures, as provided to this firm from the records obtained and maintained by the Arizona State Bar in connection with its disciplinary investigation of Strojnik Sr. (Arizona Disciplinary Matter 09-0314 / 09-1451).

- i. Exhibit 9: August 18, 2009 letter from the Arizona State Bar to Strojnik Sr. regarding matter 09-1451, as provided to this firm from the records obtained and maintained by the Arizona State Bar in connection with its disciplinary investigation of Strojnik Sr. (Arizona Disciplinary Matter 09-0314 / 09-1451).
- j. Exhibit 10: August 31, 2009 letter from Strojnik Sr. to the State Bar of Arizona regarding matter 09-1451, as provided to this firm from the records obtained and maintained by the Arizona State Bar in connection with its disciplinary investigation of Strojnik Sr. (Arizona Disciplinary Matter 09-0314 / 09-1451).
- k. Exhibit 11: September 16, 2009 State Bar of Arizona letter to Strojnik Sr., as provided to this firm from the records obtained and maintained by the Arizona State Bar in connection with its disciplinary investigation of Strojnik Sr. (Arizona Disciplinary Matter 09-0314 / 09-1451).
- l. Exhibit 12: September 18, 2009 State Bar of Arizona letter to Strojnik Sr., as provided to this firm from the records obtained and maintained by the Arizona State Bar in connection with its disciplinary investigation of Strojnik Sr. (Arizona Disciplinary Matter 09-0314 / 09-1451).
- m. Exhibit 13: September 22, 2009 letter from Strojnik Sr. to the State Bar of Arizona, as provided to this firm from the records obtained and maintained by the Arizona State Bar in connection with its disciplinary investigation of Strojnik Sr. (Arizona Disciplinary Matter 09-0314 / 09-1451).



- n. Exhibit 14: April 7, 2010 letter from the State Bar of Arizona to Strojnik Sr., as provided to this firm from the records obtained and maintained by the Arizona State Bar in connection with its disciplinary investigation of Strojnik Sr. (Arizona Disciplinary Matter 09-0314 / 09-1451).
- o. Exhibit 15: April 13, 2010 letter from Strojnik Sr. to the State Bar of Arizona, as provided to this firm from the records obtained and maintained by the Arizona State Bar in connection with its disciplinary investigation of Strojnik Sr. (Arizona Disciplinary Matter 09-0314 / 09-1451).
- p. Exhibit 16: May 11, 2010 letter from the State Bar of Arizona to Strojnik Sr., as provided to this firm from the records obtained and maintained by the Arizona State Bar in connection with its disciplinary investigation of Strojnik Sr. (Arizona Disciplinary Matter 09-0314 / 09-1451).
- q. Exhibit 17: May 12, 2010 letter from Strojnik Sr. to the State Bar of Arizona regarding matter 09-1451, as provided to this firm from the records obtained and maintained by the Arizona State Bar in connection with its disciplinary investigation of Strojnik Sr. (Arizona Disciplinary Matter 09-0314 / 09-1451).
- r. Exhibit 18: May 12 and 13, 2010 subpoena and cover letter, respectively, sent by the State Bar of Arizona to Strojnik Sr., as provided to this firm from the records obtained and maintained by the Arizona State Bar in connection with its disciplinary investigation of Strojnik Sr. (Arizona Disciplinary Matter 09-0314 / 09-1451).

- s. Exhibit 19: May 18, 2010 letter from Strojnik Sr. to the Arizona State Bar, as provided to this firm from the records obtained and maintained by the Arizona State Bar in connection with its disciplinary investigation of Strojnik Sr. (Arizona Disciplinary Matter 09-0314 / 09-1451).
- t. Exhibit 20: June 18, 2010 Order Denying Respondent's Objection to Subpoena Duces Tecum, as provided to this firm from the records obtained and maintained by the Arizona State Bar in connection with its disciplinary investigation of Strojnik Sr. (Arizona Disciplinary Matter 09-0314 / 09-1451).
- u. Exhibit 21: August 19, 2010 Probable Cause Orders filed as to matters 09-0314 and 09-1451, as provided to this firm from the records obtained and maintained by the Arizona State Bar in connection with its disciplinary investigation of Strojnik Sr. (Arizona Disciplinary Matter 09-0314 / 09-1451).
- v. Exhibit 22: Complaint filed by the State Bar of Arizona on December 17, 2010, regarding matters 09-0314 and 09-1451, as provided to this firm from the records obtained and maintained by the Arizona State Bar in connection with its disciplinary investigation of Strojnik Sr. (Arizona Disciplinary Matter 09-0314 / 09-1451).
- w. Exhibit 23: August 21, 2009 Motion for Sanctions against Strojnik Sr. with certificate of service on Strojnik Jr. in the matter styled, Sahakianv. STATS ChipPac, CV-08241 (D. Ariz.), as provided to this firm from the records obtained and maintained by the Arizona State Bar in connection

with its disciplinary investigation of Strojnik Sr. (Arizona Disciplinary Matter 10-1223).

- x. Exhibit 24: July 22, 2010 letter from the State Bar of Arizona to Strojnik Sr. regarding matter 10-1223, as provided to this firm from the records obtained and maintained by the Arizona State Bar in connection with its disciplinary investigation of Strojnik Sr. (Arizona Disciplinary Matter 10-1223).
- y. Exhibit 25: July 23, 2010 letter from Strojnik Sr. to the State Bar of Arizona, as provided to this firm from the records obtained and maintained by the Arizona State Bar in connection with its disciplinary investigation of Strojnik Sr. (Arizona Disciplinary Matter 10-1223).
- z. Exhibit 26: Email from Strojnik Jr. to State Bar of Arizona regarding matter number 10-1223, as provided to this firm from the records obtained and maintained by the Arizona State Bar in connection with its disciplinary investigation of Strojnik Sr. (Arizona Disciplinary Matter 10-1223).
- aa. Exhibit 27: November 29, 2010 Probable Cause Order as to matter 10-1223, as provided to this firm from the records obtained and maintained by the Arizona State Bar in connection with its disciplinary investigation of Strojnik Sr. (Arizona Disciplinary Matter 10-1223).
- bb. Exhibit 28: December 1, 2010 letter from the Arizona State Bar to Strojnik Sr., as provided to this firm from the records obtained and

maintained by the Arizona State Bar in connection with its disciplinary investigation of Strojnik Sr. (Arizona Disciplinary Matter 10-1223).

cc. Exhibit 29: June 17, 2011 letter from the Arizona State Bar to counsel for Strojnik Sr. enclosing the Amended Probable Cause Order Filed on June 15, 2011, as to matter 10-1223, and, as provided to this firm from the records obtained and maintained by the Arizona State Bar in connection with its disciplinary investigation of Strojnik Sr. (Arizona Disciplinary Matter 10-1223).

dd. Exhibit 30: Complaint filed by the State Bar of Arizona on July 29, 2011, as to matter 10-1223, as provided to this firm from the records obtained and maintained by the Arizona State Bar in connection with its disciplinary investigation of Strojnik Sr. (Arizona Disciplinary Matter 10-1223).

ee. Exhibit 31: Pleading Index for matter 10-1223, as provided to this firm from the records obtained and maintained by the Arizona State Bar in connection with its disciplinary investigation of Strojnik Sr. (Arizona Disciplinary Matter 10-1223).

ff. Exhibit 32: November 22, 2011 Email Chain between counsel for Chicago Title and counsel for Dare.

gg. Exhibit 33: December 29, 2011 M. O'Donnell letter to the Hon. Michael A. Shipp, U.S.M.J., filed in this matter [Doc. No. 71] without exhibits.



hh. Exhibit 34: December 30, 2011 letter from Strojnik Jr. and Christopher Humphrey ("Humphrey") to the Hon. Michael A. Shipp, U.S.M.J., filed in this matter [Doc. No. 72] without exhibit.

ii. Exhibit 35: January 4, 2012 M. O'Donnell letter to the Hon. Michael A. Shipp, U.S.M.J., filed in this matter [Doc. No. 75].

jj. Exhibit 36: December 26, 2011 letter from Strojnik Jr. and Humphrey to the Hon. Michael A. Shipp, U.S.M.J., filed in this matter [Doc. No. 69] without exhibits.

kk. Exhibit 37: December 27, 2011 M. O'Donnell letter to the Hon. Michael A. Shipp, U.S.M.J., filed in this matter [Doc. No. 70] with exhibits.

I hereby certify that the foregoing statements made by me are true.

I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

DATED: January 10, 2012

/S/ MICHAEL R. O'DONNELL  
MICHAEL R. O'DONNELL